

# EXHIBIT 4

**Global Risk Analysis: Special Report.**  
**United States of America**

**Collusive Partisan Enterprise risk to economic stability and outlook.**

This document evaluates elements in question tied to the political discord, civil unrest, contentious 2020 Presidential election cycle, reasonableness of Covid-19 response, and economic stability of the United States post 2020 Presidential election. In short, my analysis shows the statements of members of Congress, the legitimacy of the political process of the 2020 Federal election, and the economic factors all investors should consider within their risk acceptance models. The genesis of this document comes from the following questions:

*Is the United States still a financial haven? Or, has partisan leadership arising from special interests, executed through a collusive Congress created an illusion investors should reject*

My evaluation reveals the 2020 Federal election to be in short, illegally conducted, unconstitutional leading to the conclusion that the 117<sup>th</sup> Congress, as well as the Biden / Harris presidency is illegitimate. It is my expert opinion that:

- We can no longer view the United States to be a “safe haven” financially and investors will seek more stable safe harbor investments not tied to United States Government securities.
- There is foreseeable future degradation in the economic and political stability in the United States due to the illegitimacy of two branches of government.
- There will be an increase in instability and volatility for the United States.
- Investors should be warned that immediate short term “growth” in stocks, and bond markets will be artificial and unsustainable due to emerging instability from revelations of governmental illegitimacy leading to loss of authority to enforce existing regulations.
- Also, the government post-2008 “bail-out” of “too-big-to-fail” institutions are under-considered as a factor of national debt. Investors should be aware of risks tied to market

capitalization values of F.A.N.G.<sup>1</sup> companies due to major shareholders, leaders, and tied to company “funds” engaged in and in support of unlawful conduct of partisan enterprises.

There exists a high risk to liabilities tied to emerging civil RICO litigation risking from injuries suffered by businesses tied to the Covid-19 pandemic and its fraudulent usage as a mechanism by partisan enterprises. There is sufficient evidence of partisan enterprise engagement in fraudulent conduct, acts of collusion, racketeering, and conspiracy through and by “corporate” persons, which are now factors investors must consider within their due diligence review.

### **Section I.**

#### ***Prima Facie facts.***

Never before in US History has a United States President faced a more engrained “resistance movement” seeking to neuter every aspect of his leadership and person than President Donald J. Trump. While on the surface this might seem to be a “normal” aspect of the American political process, when conducting a deeper analysis this façade of normalcy is quickly eroded. From 2015 onward, *Never-Trumpers* executed coordinated attacks upon the OFFICE of the President in a constant barrage designed to destabilize the United States and disallow the proper administration of Presidential duties.

Donald J. Trump in 2015 ran an election campaign publicly stating his intent to ‘drain the swamp’. For the first time in United States History a citizen arose from the ranks of ‘citizen class’ to publicly and brazenly confront those of the deep rooted and often corrupted ‘political class’. Despite the statements and moans of *Never-Trumpers* who cried “not my President,” Donald J. Trump, upon careful review lawfully obtained the Office of President in 2016. Upon obtaining office, he quickly began to implement agendas that deliver on campaign promises<sup>2</sup> he offered on the campaign trail, which was unique in the American Experience.

The “resistance” began election night 2016, with opposition candidate Hillary Rodham Clinton and former President William J. Clinton appearing before supporters and national television jointly

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<sup>1</sup> The acronym FANG translates to: Facebook, Apple, Netflix, Google

<sup>2</sup> <https://www.bbc.com/news/world-us-canada-37982000>



wearing the color purple in an attempt to start a “color revolution.”<sup>3</sup> Clinton refused to concede, continued to level personal attacks,<sup>4</sup> and lit the fuse<sup>5</sup> to the “not my President” movement<sup>6</sup> despite long held traditions of concession and reconciliation of past political leaders.<sup>7</sup> And thus emerged the face of the “partisan enterprise.”<sup>8</sup> The *Hillary Clinton for President* campaign was the source of nearly every post-election attack weathered by Donald J. Trump after he lawfully obtained the office of President. Further, as shown, President Trump’s 2016 to 2020 “scandals” originated from “get Trump” affiliated parties often funded by the Clinton Campaign or associated with partisan enterprises<sup>9</sup> in support of the “color revolution” started by Hillary Rodham Clinton.<sup>10</sup>

From 2016 through 2020, President Donald J. Trump faced continued personal attacks and vicious propaganda leveled by deeply seated members of two partisan enterprises, who acted jointly with the media for the purpose of eroding the President’s ability to keep his “drain the swamp” campaign promise. My review will show this conduct not to be the conduct of political partisanship but collusive conduct of unlawfully operating enterprises engaged in unethical and often criminal conduct. This review will also discuss the manner in which such conduct is unlawful and my opinion of the economic risk investors should consider in management of their financial portfolios.

### From the Mouth of Babes.

When conducting any critical analysis leading to seeming untraditional conclusions, one must consider all possibilities and associated facts in order to determine the truth sought. Conducting geopolitical analysis is likely the most difficult task a researcher can conduct as the majority of politics is opinion or ideologically based and, more often than not, lacks any tangible fact. Without

<sup>3</sup> <https://time.com/4565978/how-hillary-clinton-lost/>

<sup>4</sup> <https://www.nbcnews.com/news/us-news/hillary-clinton-attacks-donald-trump-wellesley-college-graduation-n765176>

<sup>5</sup> <https://www.politico.com/magazine/story/2017/11/02/clinton-brazile-hacks-2016-215774>

<sup>6</sup> [https://en.wikipedia.org/wiki/Not\\_My\\_Presidents\\_Day](https://en.wikipedia.org/wiki/Not_My_Presidents_Day)

<sup>7</sup> <https://www.cnn.com/2017/05/03/politics/donald-trump-hillary-clinton/index.html>

<sup>8</sup> <https://www.nbcnews.com/news/crime-courts/fbi-releases-documents-showing-payments-trump-dossier-author-steele-n897506> “Fusion had been hired to get information on Trump during the primaries by a Republican media firm, Washington Free Beacon. When Trump became the Republican nominee, the Clinton campaign and the Democratic Party began picking up the tab for the Fusion research.”

<sup>9</sup> <https://www.motherjones.com/kevin-drum/2017/11/heres-the-joint-fundraising-agreement-between-hillary-clinton-and-the-dnc/>

<sup>10</sup> <https://nypost.com/2020/09/29/cia-told-obama-of-claim-clinton-conjured-trump-russia-scandal-spy-chief/>



a starting point, one cannot find an ending point, so most institutional financial analysts or talking heads refuse to form any tangible opinion which complies with any matrix of “success.” Frankly, the topics I review in this report will never be reviewed by any large-scale investment firm. Frankly, they do not need to as their income streams are assured, whether they are right or wrong. This is just the facts of the industry and has been accepted as a “risk” to investors under the false label “no one has a crystal ball or is able to predict the future,” while at the same time selling “services” specifically labeled to reference their ability to do so.

However, in *this* case, and in a unique snapshot in history, a document has been revealed that provides a more than reasonable starting point from which we can undertake this journey. Before reviewing this document, we must first recognize the power of words and the use of words in acts of deception. In the conduct of the deception as executed by partisan enterprises, as reviewed here within, we simply need to review the word “democracy” and the misuse of this word in context to the legitimacy of “government” as defined within the United States Constitution.

In November of 2019, **Governance Studies at Brookings** issued a report titled “*THE DEMOCRACY PLAYBOOK: Preventing and Reversing Democratic Backsliding*.” The report, in high detail, outlines the conduct of partisan enterprises in the conduct leading up to the 2020 United States Federal Elections. The report detailed a common path to obtain federal elected offices in order to effectively overturn the constitutionally protected “Republican” form of government, as articulated in **Article IV, Section 4**. Subversively, the document outlines the method, manner, and purpose of the partisan enterprises while omitting the fact the United States form of Government is *not* democratic. By law, the states are guaranteed a “Republican Form of Government”<sup>11</sup>. This leads to concerns that members of partisan enterprises are actively engaged in acts to overthrow the lawful form of government of the United States, which is constitutionally guaranteed.<sup>12</sup>

This subtle omission of fact with the overturn of propaganda engrained in talking points, shows the clear and determined plan to overthrow the legitimate government of the United States of

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<sup>11</sup> See Article 4 Section 4 of the United States Constitution.

<sup>12</sup> This represents a protentional of a direct insider threat which is of a concern greater than those solely financial, and represents a unlawful shift in geopolitical power.



Government. The report directly states the shift of power occurs not through “*overt coup ‘d’états or forceful authoritarian takeovers Rather, backsliding is occurring through incremental steps and often under a legal façade,*<sup>13</sup>” and as I show in this review, this document was the “playbook” from which the 2020 election was conducted. This review will also show where and how leaders in partisan enterprises knowingly engaged in seditious conduct from their offices within the United States Congress.

## Section II.

### Economic relevance of “balance of powers.”

In the simplest terms, the Framers of the US Constitution structured the government so that the three branches have separate powers. These branches are the legislative branch (Congress) the judicial branch (the courts), and the executive branch (the presidency). These branches must both cooperate and compete to enact policy. Each of the three branches has the power to check the other two, which ensures that no one branch can become too powerful and that government as a whole is constrained. This structure in theory ensures that the people’s will is represented by allowing citizens multiple access points to influence public policy and permitting the removal of officials who abuse their power. However, as shown by the election of Donald J. Trump, “the people” saw their “will” was no longer represented in the influence of public policy, nor economic decisions.

From 2016 through 2020 one branch of government and partisan-enterprise-engaged bureaucrats graphically abused the powers of office to destabilize and limit the executive branch. This conduct caused considerable confusion as to the long-term economic policy of the United States beyond the presidency of Donald J. Trump. The executive branch’s term policies regarding the nation of China, which included economic embargos; trade negotiations and direct response to China’s state-led corporate espionage activities signaled a “bellwether” change, which the majority of investors saw as a reasonable return to the assurance of national economic stability. In response to logical steps that eventually led to China’s capitulation, Nancy Pelosi stated: “*You can almost hear the leadership of the Chinese government laughing, from China to America. Maybe you can feel it*

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<sup>13</sup> “THE DEMOCRACY PLAYBOOK: Preventing and Reversing Democratic Backsliding” by Elsen, Kenealy, Corke, Taussig and Polyakana, Page 9.



*coming through the ground, because if you dig a hole here, you will reach China. But the reverberation is so appalling.<sup>14</sup>*

Historically, a divided Congress tends to be good for stock market investors; *"the reason is due in part to the fact that stocks 'tend to like gridlock and taking out major policy disruption.'<sup>15</sup>* However, Pelosi's 2017 statement counters her statement of support President Trump's earlier policy in November of 2018, where she stated: *"The report of the USTR investigation on China's intellectual property theft is a good first step, but far more is need to confront the full range of China's bad behavior. Beijing's regulatory barriers, localization requirements, labor abuses, anticompetitive 'Made in China 2025' policy and many other unfair trade practices require a full and comprehensive response. The tariffs announced today should be used as a leverage point to negotiate more fair and open trade for U.S. products in China.<sup>16</sup>*" Pelosi's pandering confused investors, caused instability in continuity and extended the acts of "a divided Congress" to acts of division between the legislative branch and the executive branch. Criticism is one thing, constant pandering and propaganda leads to sedition.

### **Introduction to "partisan enterprises."**

Founded in 1866 as the Democratic National Congressional Committee, *"the Democratic Congressional Campaign Committee* (DCCC, sometimes spoken of as "D triple-C" or "D-trip") is the Democratic Hill committee for the United States House of Representatives, working to elect Democrats to that body. The DCCC recruits candidates, raises funds, and organizes races in districts that are expected to yield politically notable or close elections," as reported by the DCCC to Wikipedia.<sup>17</sup> However, the DCCC is directly staffed by persons who formally acted as office staff for leading members of the Democratic party in the house and worked as "political operatives." Due to a change in campaign reform laws,<sup>18</sup> which took effect in 2004, the DCCC was by law directed to split into two organization a few months before each election day. Each organization is direct to act in the following manner:

<sup>14</sup> <https://www.globaltimes.cn/content/1075381.shtml>

<sup>15</sup> <https://fortune.com/2020/11/04/stock-market-2020-election-results-divided-Congress-house-senate-democrats-republicans-us-economy/>

<sup>16</sup> <https://www.forbes.com/sites/kenrapoza/2018/11/05/dear-chinese-government-the-democrats-wont-save-you/?sh=46e76c685f51>

<sup>17</sup> [https://en.wikipedia.org/wiki/Democratic\\_Congressional\\_Campaign\\_Committee#cite\\_note-Bowden-1](https://en.wikipedia.org/wiki/Democratic_Congressional_Campaign_Committee#cite_note-Bowden-1)

<sup>18</sup> McCain-Feingold - aka. "Bipartisan Campaign Reform Act of 2002"



1. One organization (the "Coordinated" campaign) can continue to stay in contact with the individual Congressional campaigns, offering advice and suggestions to candidates and their staffs in each race.
2. The other organization (the "Independent Expenditure" campaign), which makes independent expenditures in Congressional districts on behalf of the campaigns, is not allowed to coordinate activities with the campaigns.

But, due to the rise of Mrs. Clinton's "color revolution"<sup>19</sup> members of the DCCC in 2016 through 2018 formed companies such as Sapphire Strategies.<sup>20</sup> While Mrs. Clinton came on the record to Vogue magazine promoting her memoir "What Happened," and alleged her "color" choice was a "nod to bipartisanship," her conduct post-2016 election night is otherwise. Factually, she and other big names within the political party pushed a "never Trump" and "at all cost" resistance movement, which was further expanded by Maxine Waters,<sup>21</sup> and other lower-level mouthpieces. All of these talking points and commentary arose from funding provided by DNC hardliners such as Clinton, which moved to assist in the formation of companies such as Sapphire.

Companies established from Mrs. Clinton's calls for resistance and revolution<sup>22</sup> even promoted their past accomplishments and contacts. Sapphire, for example was founded by Julia Ager and shows considerable and direct ties to senior house members. This much is represented in the company founder's biography:

*"Before launching Sapphire Strategies, Julia Ager was 2018 Chief Digital Officer at the DCCC. She led the Committee to raise historic amounts online — over \$110 million for the DCCC and \$18 million for House campaigns — and win a resounding Democratic House Majority in the 2018 midterms. As part of that success, Julia led the DCCC to build the largest and most successful list growth operation in the country, raising \$27 million online through email acquisition alone. Julia and her team ran a historic digital advertising operation across 44 House districts. This \$3.5 million program helped increase voter turnout by 188% for millennials, 174% for Hispanics, and 157% for African Americans"*

#### An admission of deceit.

On the surface this conduct seems to benefit the people of the United States. However, in 2019, a year after Ms. Ager formed Strategic Services, the root damages of Ms. Ager's work at the DCCC

<sup>19</sup> <https://www.vogue.com/article/hillary-clinton-purple-suit-concession-speech>

<sup>20</sup> <https://www.sapphire-strategies.com/about-us>

<sup>21</sup> <https://www.cnn.com/2018/06/25/politics/maxine-waters-trump-officials/index.html>

<sup>22</sup> <https://www.vox.com/policy-and-politics/2016/11/3/13318750/hillary-clinton-vision-government>



emerged in a case before the United States Court of Appeals for the 11<sup>th</sup> Circuit,<sup>23</sup> in which the leaders of the Democratic National Committee made the shocking statement: “we have no duty to tell “the people” the “truth,” insisting their status as a “corporate” entity afforded them the ability to circumvent laws regarding fraud, misrepresentation, and acts of purposeful deception.

This shocking statement by members of Congress acting in support of a corporate entity specifically designed to link all offices in government held by members of the corporation itself should have been headline news. But it was not. The ramifications of the knowledge that more than half of the 435 Members of the US House of Representatives and half of the Members of the US Senate feel no duty to tell the truth provides no basis of legitimacy of any statement or policy made by these persons. In short, how can any investor rationally predict the stability of financial markets and the overall economy of the United States itself when “leadership” in federal office behaves unethically?

#### History of questionable conduct.

While most readers of this document will mentally flock to the *Bush v. Gore* litigation and the 2002 Presidential election in an attempt to discount our analysis. We must caution, factually, the United States has a LONG and torrid history of Federal election fraud, crimes, and investigations of such conduct. For most of the last 20 years, news media in federal elections have focused on the Presidential vote outcome as a ruse to hide the more revealing truth: “is the Federal election / ballot legitimate?” This notwithstanding, there is historic evidence of election crimes for offices of Congress. The most noted of this is the “box 13” scandal surrounding Senator Lyndon B. Johnson, who eventually became President Johnson due the assassination of President John F. Kennedy.

#### Box 13 Scandal.

The **Box 13 scandal** occurred in Jim Wells County, Texas during the Senate election of 1948. Lyndon B. Johnson appeared to have lost the election to Coke Stevenson, but six days after

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<sup>23</sup> Case No. 17-14194 CAROL WILDING, STANLEY RIFKEN, SHARON CRAWFORD, WILLIAM SCOTT FRANZ, DAVID PULASKI, MARY JASMINE WELCH, JOSE ALBERTO GONZALEZ, JANE ELLEN PLATTNER, KIM MARIE HOULE, et al., Plaintiffs versus DNC SERVICES CORPORATION; DEBORAH WASSERMAN SCHULTZ, Defendants. Transcript of second hearing, oral arguments.

polls had closed, 202 additional ballots were found in Precinct 13--all of which were in Johnson's favor. Stevenson remained ahead of Johnson during the run-off and by midday, but after the discovery of the additional ballots, 200 additional votes for Johnson were found, leading to his victory.<sup>24</sup>

Following this, Harry Lee Adams<sup>25</sup> started a private, non-official investigation. During this investigation Adams noticed many signs of voter fraud. Adams started an official investigation, while Johnson had Abe Fortas help with his legal strategy during this investigation. The investigation centered around whether or not Johnson had George Parr, a member of the Democratic party in Texas, help him falsify ballots. The investigation eventually reached the Supreme Court. The Supreme Court Justice, Hugo Black, ruled that the Federal government was not allowed to get involved with a state election. This ruling won Johnson the election, despite allegations of Johnson speaking with George Parr in South Texas that day, resulting in box 13 having 200 missing ballots.

There would be no charges, due to the fact that nothing could be proven. However, of note, Box 13 voters all allegedly voted in alphabetical order, using the same ink pen, and each ballot possessed the same handwriting. Clearly the crime of election fraud and a conspiracy to conduct said crime had occurred based upon the evidence and a logical review of the same.

## Section II.

While counting votes is easy to understand, the method of which votes are counted and the legality of the votes to be counted are points that must be taught to the American People. Democrats have emotionally stated "*every vote must count*" and Republicans have responded with the logical talking point "*every legal vote must be counted*," this places the citizen in the middle and they feel personally attacked. "The People" know election fraud has taken place for decades and arguing over a few votes seems petty to them, as they see *both* parties as corrupt and inherently uncaring. Surveys indicate that more than 85% of Americans believe the political process is corrupt. This is

<sup>24</sup> "The Mystery of Ballot Box 13". *Washington Post*, March 4, 1990.

<sup>25</sup> Dallek, Robert (1991). *Lone Star Rising: Lyndon Johnson and His Times, 1908-1960*. 200 Madison Ave, New York, NY 10016, United States: Oxford University Press. pp. 340. ISBN 9780195054354.



reflected in the rise of “outsider” candidates, such as Donald J. Trump, who prior to obtaining the presidency, had never held political office. It is a clear indicator “the people” were seeking a form of change and a choice from other than partisan enterprises.

Factually, *The Help America Vote Act*, a law enacted by the democratically controlled 107<sup>th</sup> Congress to address their allegations of “fraud” in the 2000 election, effectively changed major elements of the administrative process of federal elections, which led to the processes utilized by the democrats to obtain a “sweep” of all federal offices in the 2020 Federal Election in an unlawful and unconstitutional manner.

Factually, these partisan enterprises, which arose out of a lawful political party, sought election reform and then for more than 18 years actually fought the main parts of the law that ensured the voices of the American People. Specifically, partisan enterprises “fought” over the need to address an “unprecedented” event (Covid-19) recognizing the massive once-in-a-lifetime opportunity to skew the game of the election, while attacking the character of one outsider candidate and effectively remaining silent about the “voter id requirements specifically tied to mail in / absentee ballots” as required by the same federal laws that all of the senior leaders in both partisan enterprises signed into law in 2002.

#### HAVA as a tool in ‘unique’ times.

HAVA provided federal funds to build an infrastructure nationally that assured “the people” had a lawfully compliant outcome in a federal election. For more than 18 years, due to partisan conduct after the law was passed, these provisions were effectively denied by career politicians acting at the state level. It is clear that Federal funds were unlawfully utilized to “set-up” the electronic voting systems we now see was used in the 2020 Federal election. It is also evidentiarily clear that voting machines, which were obtained by state officials using Federal funds, were used in questionable manners.

It is equally apparent state and federal elected officials had specific knowledge of administrative requirements due to HAVA, and purposefully failed to implement them, while creating a frivolous argument that “states rights” allowed the illegal conduct. What is MOST shocking is members of

Congress held both the knowledge of the lawful and Constitutional requirements to conduct a Federal election for Congress. These partisan enterprise members on the state levels also knew the states had no right or legal argument to deny the lawful administration of federal ballots used in a Federal election. Factually, all certifications for office based off the federal ballot are individual criminal acts, as part of a larger conspiracy to defraud the people of the United States, using federal and private interest monies to do so.

### **What is The Help America Vote Act?**

The Help America Vote Act (HAVA) was passed by the U.S. Congress in 2002 to make sweeping reforms to the Nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. HAVA mandates that the EAC test and certify voting equipment, maintain the National Voter Registration form, and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. *Section 803* of HAVA transferred the functions of the FEC's National Clearinghouse on Election Administration to an Election Assistance Commission (EAC).

### **What HAVA as a law created / mandated.**

HAVA<sup>26</sup> created new mandatory minimum standards for states to follow in several key areas of election administration. The law provided funding to help states meet these new standards, replace voting systems and improve election administration. HAVA required that the states implement the following new programs and procedures:

- Provisional Voting
- Voting Information
- Updated and Upgraded Voting Equipment
- Statewide Voter Registration Databases
- Voter Identification Procedures
- Administrative Complaint Procedures

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<sup>26</sup> <https://www.Congress.gov/107/plaws/publ252/PLAW-107publ252.pdf>



HAVA also mandated requirements that the states must follow regarding administrative procedures including:

1. HAVA required states to develop a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level
2. HAVA required the statewide list be coordinated with other agency databases within the state.
3. HAVA also required regular "maintenance" of the statewide list including removing ineligible voters and duplicate names are eliminated in accordance with the National Voter Registration Act of 1993 (NVRA).
4. HAVA required that first-time voters who registered by mail, and have not previously voted in a Federal election in the State, to present a form of identification to the appropriate State or local election official before or on election day.
5. The ID requirement applies to in person and vote by mail voters. In the case of a vote by mail voter, a copy of the ID must be submitted with the ballot. A State may enact further ID requirements which aren't specified under HAVA but cannot retract or modify the voter ID requirements, or the procedures to collect and retain them.
6. HAVA required voters identified as ineligible (such as voters not found on the registered list), but who believe themselves to be eligible, to be able to cast a provisional ballot.
  - a. After the election, the appropriate State or local election entity will determine if the voter was eligible, if so, counting the vote and
  - b. notify the voter of the outcome
7. HAVA set forth the requirements for all voting systems, including that they:
  - a. permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted;
  - b. provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error); and

- c. notify the voter of overvotes (votes for more than the maximum number of selections allowed in a contest) and provide the voter a chance to correct these errors.

### Reviewing compliance at the state level.

It is easy to review ballot and election administration practices related to the COVID-19 pandemic for compliance to HAVA. Detailed analysis shows all 50 states failed to adequately meet the mail-in ballot, and mail in voter registration minimum requirement standards as set forth in the Act. According to The Wall Street Journal: *“Five states—Colorado, Hawaii, Oregon, Washington and Utah—routinely conduct their elections almost entirely by mail. In response to the spread of Covid-19, at least four additional states—California, Nevada, New Jersey and Vermont—and the District of Columbia have pledged to mail ballots to all properly registered voters for the November election. Some other states made it easier to vote by mail in response to the coronavirus crisis by changing various rules.”*<sup>27</sup> The article then provides a detailed map of each state’s modification of mail in voting / ballot policies, all of which violate the Act’s **Section 303**, which of course violates the minimum requirements of **Section 304**. The article outlines “mail in balloting rules” in all 50 states and a clear understanding of each modification of ballot administrative procedures is outlined for public view on Ballotpedia.<sup>28</sup>

With this review completed, we move on to post election day certification of Federal ballots, which expands the failures to properly administer Federal law, through unlawful use of Federal monies tied to minimum requirements on to acts of negligence and malfeasance conducted by individual states’ Secretary of State and Governors.<sup>29</sup> From soup to nuts, the individual states conduct to certify the Federal election reeks of incompetence and/or outright conspiracy to defraud the Federal government, or worse. When the most simple “minimum requirement” is to ask a question or obtain identification when a first-time mail in ballot is presented / obtained and all states fail to do so, it is clear federal law was violated by the states due to failure to meet a contractual duty, from which federal monies are tied.

<sup>27</sup> <https://www.wsj.com/articles/how-to-vote-by-mail-in-every-state-11597840923>

<sup>28</sup> [https://ballotpedia.org/Changes\\_to\\_election\\_dates,\\_procedures,\\_and\\_administration\\_in\\_response\\_to\\_the\\_coronavirus\\_\(COVID-19\)\\_pandemic,\\_2020](https://ballotpedia.org/Changes_to_election_dates,_procedures,_and_administration_in_response_to_the_coronavirus_(COVID-19)_pandemic,_2020)

<sup>29</sup> [https://ballotpedia.org/Election\\_results\\_certification\\_dates,\\_2020](https://ballotpedia.org/Election_results_certification_dates,_2020)



**A complicated past, an ongoing history of "failures" to comply, and known issues.**

While officials attempted to create a façade of competency in 2020, the record shows nearly two decades of malfeasance and negligence. It was known in 2005, most if not all voting machines including those by **Diebold Election Systems**, never met the requirements of HAVA. As late as 2005, vendors were selling non-compliant machines to unwitting states and counties who believed that they were HAVA-compliant. Unless vendors offered a specific guarantee of HAVA compliance, equipment may have required scrapping or retrofitting at taxpayers' expense after January 1, 2006.<sup>30</sup> In the 2004 election, approximately 1.9 million voters nationwide, cast provisional ballots. Of those, approximately 1.2 million—or 64.5%—were counted, however, the majority of states failed to meet the notification requirements of HAVA for a variety of reasons. Despite more than 18 years of receiving funds all fifty states failed to meet the mail in ballot / mail in registration requirements named in Section 303 of the Act.

**A requirement for prosecution to stop repeated conduct.**

Under Federal law states and state officials the conduct of certification of elections should be considered direct attempts to defraud the united states government. This statement is made due to the use of Federal funds to purchase electronic voting machines, and the failure to meet the requirements of HAVA, with the specific knowledge of both of these functions.

While this might seem a Trump administration or "RNC" response, there does exist a history of improper conduct and misconduct regarding the use of Federal funds regarding HAVA. A number of states and state officials have previously come under fire for the fact that the majority of the billions of dollars allocated to the states for HAVA has been for increased access for disabled voters, while the main goal of HAVA, avoiding the problems that plagued the 2000 elections in Florida, may have not been adequately served. A 2005 expose published by the Associated Press<sup>31</sup> cited Democrats attacking the Bush administration in a partisan manner for the perceived delay in the release of \$2.2 Billion in funding to the states.

<sup>30</sup> Pyncheon, Susan (June 28, 2005). "Diebold Touch Screens Don't Meet Disability Requirements". Verified Voting Foundation. Archived from the original on September 27, 2007. Retrieved 2008-10-10. Pyncheon, Susan (June 28, 2005). "Diebold Touch Screens Don't Meet Disability Requirements". Daytona Beach News-Journal Online. Internet Archive. Archived from the original on 2005-07-11. Retrieved 2008-10-10. Why Can't We Keep Our Old Voting Machines?. *N.C. Voter*. North Carolina Coalition for Verified Voting. Archived from the original on 2008-09-05. Retrieved 2008-10-10.

<sup>31</sup> [http://articles.boston.com/2005-02-08/news/29215924\\_1\\_election-officials-election-law-Presidential-election](http://articles.boston.com/2005-02-08/news/29215924_1_election-officials-election-law-Presidential-election)



*"A lot of states are still trying to sort out how to get to the deadlines," said **Rebecca Vigil-Giron, New Mexico's secretary of state.** "That's a major, major challenge. We're probably a year behind schedule."* The three-term Democrat predicted that New Mexico would not be in compliance with the 2008 Presidential election. The three-term democrat specifically stated that all the improvements Congress demanded to be up and running everywhere would NOT occur. The article highlighted the issues we now face in the 2020 election showing that in 2006 Democrats sought to eradicate the "safety-net" provisions of HAVA stating that *"State and local officials administer elections, not the Federal government."*

In a partisan manner, the secretaries of state, led by members of the Democrat Party alleged that the Federal election reforms were "spilling beyond their boundaries, chipping away at state control and responsibility." Through the group, the **National Association of Secretaries of State**, the democratic-party-controlled group approved a formal resolution that asked Congress to dissolve its oversight organization, the Federal Election Assistance Commission, after the 2006 elections. This resolution failed to dissolve the Commission, however, through a partisan effort at the state level the DNC led and accomplished an effort to effectively deny the enforcement of the ID requirements and provisional ballot right as mandated in the 2002 Federal law. These issues were known issues prior to 2020 election cycle.

And this is clear due to commentary given on Monday, July 15<sup>th</sup> 2019<sup>th</sup> when the US Senate held a hearing on Election Security in which Senator Wyden stated *"old software makes new electoral systems ripe for hacking."*<sup>32</sup>

### **The complicated legal question.**

While arguments made by the Republican Party and the Trump Campaign focused solely on the issues with the presidential vote count in multiple courts. And despite the false media narrative fraudulently broadcast across state lines in a manner, which nearly meets all of the requirements for violations of the RICO Act. There is a larger concern regarding administrative failures conducted by the states and how they affect the Federal Election results for Congresspersons, and

<sup>32</sup> Congressional Record Volume 165, Number 118, Senate, Pages S4815-S4816 (Monday, July 15<sup>th</sup>, 2019)



Senators. All states broadly issued sweeping changes in election policies as a result of the COVID-19 pandemic.

It is clear that NONE of the States approached Congress and obtained approval to voting policies, plans, and procedures for electing representatives and senator. **Article 1, Section 4. Of the United States Constitution** clearly addresses the matter of **Elections** stating “The times, places and manner of holding elections for senators and representatives shall be prescribed in each state by the legislation thereof: but the Congress may at any time by law make or alter such regulations....” It is clear the Congress did in fact make a law in 2002 that changed the regulations regarding all Federal elections including those of the Senators and Representatives that the States failed to adhere to.

The unspoken issue in the 2020 election is not the legality of the vote, but the illegality of the federal ballot! The more shocking element here is due to the unlawful conduct of the 2020 Federal elections the 435 members of the 117<sup>th</sup> US House of Representatives is illegally and unconstitutionally seated AND 35 members of the 117<sup>th</sup> US Senate are also illegally and unconstitutionally seated.<sup>33</sup> Further, each act of the 117<sup>th</sup> Congress including the establishment of agreements stipulating rules for certification of the Federal Presidential election, the casting of electoral ballots, the certification process, as well as all acts of impeachment against Donald J. Trump are entirely fraudulent due to the unlawful nature of the Federal ballot itself.

#### **Assessment is easy.**

All ballots that do not comply with the provisions of HAVA also fail to be in lawful compliance with the Constitution! Due to the failure to comply with the administrative provisions as required within HAVA, states that failed to legally comply violated the US Constitution and no matter what “state law” dictates the Supremacy clause prevails. Due to this states that certified their election results without assuring the Federal ballot requirements violated multiple Federal laws<sup>34</sup> and persons who did so “with knowledge” likely did so in violation of criminal law. Logically, no

<sup>33</sup> While many will reject this statement due to the 17<sup>th</sup> Amendment, this is an erroneous thought as the 17<sup>th</sup> Amendment’s language does not change the language of Article 1 Section 4 nor eradicate the Congress’s authority to regulate Senator’s selection or the manner in which they are.

<sup>34</sup> raising credibility to the Trump campaigns allegations of election frauds and criminality.



vote can be counted from a ballot that fails to meet Federal law, and violates the United States Constitution as this is the very essence of the “fruit of poisonous tree” doctrine.<sup>35 36</sup>

### **Instability due to lack of legitimacy.**

While the focus of the election has been purposefully misdirected on the Trump / Biden outcome, the relevant and required task is to determine which ballots, and ballot processes, as well as administrative duties did not comply with HAVA in the 2020 election. Practically, any attempt to “reconstruct” the 2020 election is impossible due to the fact many States have now destroyed ballots and removed materials from their “as delivered” status from each ballot. Only complicating this task is the unprecedented nature of the 2020 election itself. Of the almost 159 million, 600 thousand ballots cast,<sup>37</sup> nearly 100 million<sup>38</sup> of them were cast as “absentee,” which also indicates the ballot was submitted in a “mail in” manner.

### **Purposeful propaganda to create a path for criminal conduct.**

In late 2019 the DNC talking point levied by Joe Biden and Nancy Pelosi was that “Covid wasn’t a danger to the USA” while levying personal attacks against Mr. Trump personally for being incompetent, or overbearing regarding the early-stage travel bans put in place by the Trump administration. In typical fashion, Mr. Biden flipped on the issue and later lied about Mr. Trump’s early pandemic plans and policies. Factually, Mr. Trump directed the U.S. Centers for Disease Control and Prevention tried to get into China just one week after China reported the outbreak to the World Health Organization on Dec. 31, 2019.<sup>39</sup>

*“On January 6, we offered to send a CDC team to China that could assist with these public health efforts,” Health and Human Services Secretary Alex Azar said at a Jan. 28 press conference. “I reiterated that offer when I spoke to China’s Minister of Health on Monday, and it was reiterated again via the World Health Organization today. We are urging China: More cooperation and transparency are the most important steps you can take toward a more effective response.”<sup>40</sup> More*

<sup>35</sup> [https://www.law.cornell.edu/wex/fruit\\_of\\_the\\_poisonous\\_tree](https://www.law.cornell.edu/wex/fruit_of_the_poisonous_tree)

<sup>36</sup> <https://www.law.cornell.edu/supremecourt/text/251/385>

<sup>37</sup> [https://docs.google.com/spreadsheets/d/1h\\_2pR1pq8s\\_I5buZ5agXS9q1vLziECztN2uWeR6Czo0/edit#gid=2030096602](https://docs.google.com/spreadsheets/d/1h_2pR1pq8s_I5buZ5agXS9q1vLziECztN2uWeR6Czo0/edit#gid=2030096602)

<sup>38</sup> [https://electproject.github.io/Early-Vote-2020G/Early\\_Vote\\_Analysis\\_11\\_01.html](https://electproject.github.io/Early-Vote-2020G/Early_Vote_Analysis_11_01.html)

<sup>39</sup> <https://web.archive.org/web/20200128190509/https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

<sup>40</sup> <https://www.hhs.gov/about/leadership/secretary/speeches/2020-speeches/remarks-at-coronavirus-press-briefing.html>



than a week later, Azar said again at a Feb. 7 press conference that “*our longstanding offer to send world-class experts to China to assist remains on the table.*”<sup>41</sup> At the time, the *New York Times* reported, “*Normally, teams from the agency’s Epidemic Intelligence Service can be in the air within 24 hours.*”<sup>42</sup> Factually, a team of public health experts from the WHO was allowed by Chinese authorities to visit Wuhan, where the outbreak began, later in February, according to the *South China Morning Post*.<sup>43</sup> The team included specialists from the United States as well as Germany, Russia, Japan, Singapore, South Korea, and Nigeria. Despite these facts, Mr. Biden’s lied regarding his knowledge of the Trump administrations conduct during the early crisis in China, stating “There was no effort to do that.”<sup>44</sup>

Normally this type of conduct would be ‘business as usual’ for political campaigns. However, due to the weaponization of the pandemic in combination with the propaganda created by partisan enterprises, such as *Sapphire Strategies* who also directed “downstream” talking points to candidates, social media moguls, high net worth donors, and “leaders in Congress,” a conspiracy to defraud the United States Government and violate “the people’s” liberty interest was created. Partisan politicians were directly directed by DNC engaged organizations and contracted DNC member-controlled companies were ordered to spread rumors, propaganda, and fraudulent talking points not to only the “media,” but also to state legislatures, donors, and companies. These talking points were sent out in email to connected persons, who then conducted elements of racketeering crimes.

This conduct includes obvious violations of mail and wire fraud statutes since this propaganda was sent to partisan enterprise agents who then knowingly engaged in phone calls, text message campaigns, and interstate travel to “spread the word” and to collect monies from donors, as well as high net worth persons, such as Mark Zuckerberg. Persons who then believed the propaganda propagated by the conspiring persons then expanded these attacks on the office of the President by overstepping constitutional protections and federal laws.

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<sup>41</sup> <https://www.hhs.gov/about/leadership/secretary/speeches/2020-speeches/remarks-at-briefing-by-members-of-the-President-coronavirus-task-force.html>

<sup>42</sup> <https://www.nytimes.com/2020/02/07/health/cdc-coronavirus-china.html>

<sup>43</sup> <https://www.scmp.com/news/china/society/article/3051917/who-coronavirus-team-ground-zero-wuhan-work-out-next-containment>

<sup>44</sup> <http://transcripts.cnn.com/TRANSCRIPTS/2003/27/se.01.html>



This conduct was done in order “get Trump” “at all costs,” and to cause a change in voting methods while purposefully failing to lawfully execute a federal election as required within the Constitution. Due to COVID policies enacted from the fraudulent narratives, most ballots submitted were submitted in a fashion to be considered as “first time mail in voter,” and trigger voter Identification requirements, which require each ballot to be presented with a copy of the voter’s ID, or have the voter present an ID to an election official prior to casting the mail in vote. Factually, the EAC did not issue a press release or guidance in advance of the 2020 election as required in HAVA, nor did any member of Congress act in support of their duty to educate persons regarding requirements under Federal law to assure enforcement of **Sections 302** and **303** of HAVA.

**A focused review of facts.**

Using data obtained from the US Elections Project<sup>45</sup> and comparing this data with the testimony of witnesses in the States of Georgia, Wisconsin, Michigan, Pennsylvania, California, Nevada, Arizona, North Carolina, and Virginia analysis indicates that as many as 38.6 Million ballots automatically failed to comply with HAVA. This failure can invoke Constitutional challenges to the legitimacy of the ballot and all of the Federal votes which would be tallied from said ballots.

It would appear no vote could be tabulated from a ballot that did not comply with Federal law. What is shocking is senior members of the 116<sup>th</sup> Congress knew of this and did nothing to act. While avoiding any commentary to the states reminding them of their lawful duty to comply with federal law regarding to the Federal Ballot due to the spending clause<sup>46</sup> of the United States Constitution. Members of partisan enterprises, acting with in Congress itself, did little or nothing to assure other security measures were enacted to prohibit electronic interference.

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<sup>45</sup> [https://electproject.github.io/Early-Vote-2020G/Early\\_Vote\\_Analysis\\_11\\_01.html](https://electproject.github.io/Early-Vote-2020G/Early_Vote_Analysis_11_01.html)

<sup>46</sup> In HAVA, the Congress made conditions clear regarding ‘minimum requirements’ in section 304 of the Act, and pursuant to *Arlington Central School District v. Murphy* (2006) the supreme court ruled that nothing stops Congress from imposing conditions through the ‘spending clause’. Further as the ‘use of funds’ language was clear in the Act and compliance was required Congress met the requirement of ‘the relatedness doctrine’ was met, due to the ‘few meaningful limitation’ criteria covered in *South Dakota v Dole* . Since Congress did not use ‘financial inducement’, and the States used funds for 18 years without objection to any element of the at they lack any ‘coercive’ argument as clearly stated in *NFIB v. Sebelius* in Chief Justice Robert’s opinion regarding the Affordable Care Act.



In his July 15<sup>th</sup>, 2019 commentary to the Congress, Senator Wyden within the congressional recorded reported to senior members of the House Republican leadership on multiple occasions addressing his concerns with the EAC not being secure delivering the statement *“our elections last week were not secure.”* He further added, *“In April, the FBI Director said that 2018 was ‘just a kind of dress rehearsal for the big show in 2020.’”* Shortly thereafter, members of partisan enterprises bypassed the SAFE Act and in so doing, did nothing to secure the electronic deficiencies of the electronic voting systems. Further, they even instigated the CARES Act, from a remedial tax bill, which further reduced the electronic security with knowledge of deficiencies intact. Within a few months, members of partisan enterprises pushed a series of false narratives for the need to change

### The modern-day box 13?

Many of those from the class of the 107<sup>th</sup> Congress are still resident in the 116<sup>th</sup> Congress. These persons include Nancy Pelosi, Chuck Schumer, Mitch McConnell, Mike Pence, Diane Feinstein, Patty Murray, James Inhofe, Ronald Wyden, Dick Durbin, and John Cornyn, just to name a few. Most damning regarding the 107<sup>th</sup> alumni, is Mr. Biden. It must be noted, of all names listed, *each* voted to pass the *Help America Vote Act of 2002* and held a Congressional oath of office and a duty to educate their constituents about the act, but failed to do so.

Directly Mr. Biden’s insistence in mail in ballots, and changes in voting policies, “as a response to Covid,” was a personal and direct engagement into acts of criminality. It is apparent Mr. Biden’s insistence on changes to election procedures, without assurance of compliance with Federal laws, prohibits him from accepting the oath of office for ANY federal office in the future, including the presidency, based upon his personal knowledge of acts to violate Federal law and his failure to assure the protection of the United States Constitution. But then again, the DNC has stated it has no duty to tell the truth.

### A gelded “regulatory authority”

Perhaps these people “failed” in their duties due to the purposeful lack of regulatory or oversight authority of the EAC to enforce HAVA. Further, perhaps these persons failed to verbally enforce or make ANY effort to call for enforcement of the Act due to its lack of punishment for failure to



comply or any defined remedy for refusal to enforce said law. Factually, the “framers of the fraud scheme” purposefully excluded and prohibited the US Attorney General of any duty to enforce, or method to enforce the Act. The sole path to criminal or civil remedy is tied directly to other sections of the US Code, perhaps civil rights violations, but most definitely criminal prosecution for violation section 42 USC 371 for acts to conspiracy to defraud the United States Government.

### Section III.

#### Reasoning withdrawal from the façade of stability.

Logically, if a body of persons conduct acts while operating under color of law, those acts can never be deemed to be legitimate or lawful. Acts which violate rights, by definition, are unlawful pursuant to **18 USC 242** if they “*deprive ‘any person’ of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.*” Persons conducting these acts are determined by law to be criminal. It is clear the acts of persons impersonating the 117<sup>th</sup> Congress, swore oaths of office without legal merit on January 3<sup>rd</sup> 2021.

What is horrific for the United States, is the series of actions conducted by the illegitimate 117<sup>th</sup> Congress after that date which directly attacked United States Citizens, who gathered to watch a speech by a sitting President. While the whole story of the events conducted by “protestors” on January 6<sup>th</sup> 2021, who assembled and moved to the United States Capital, the real crime legitimately unfolded inside the chambers of the Capitol building. Never before in US history has a cabal of the like-minded attempted to execute a revolution by fraud against the US people, but on January 6<sup>th</sup> 2021, this is exactly what occurred, as defined by law, and within the body of the US Constitution itself.

It is clear the Supremacy Clause<sup>47</sup> establishes “*the Federal constitution, and Federal law generally take precedence over state laws, and even state constitutions.*” It prohibits states from interfering with the federal government's exercise of its constitutional powers, and from assuming any functions that are exclusively entrusted to the federal government. This is where we must logically focus on the facts of the federal ballot, the enforcement of federal laws for the Federal Election and the absolute adherence to the lawful federal government's execution of its

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<sup>47</sup> Article VI, Paragraph 2 of the U.S. Constitution



constitutional powers. Factually, the 116<sup>th</sup> Congress's term ended on January 3<sup>rd</sup>, 2021. The conduct of elections for the 117<sup>th</sup> Congress was not lawful, and therefore, there is no 117<sup>th</sup> Congress. Due to this the remaining sole "power of the federal government," which can be deemed to be lawful is in the executive branch currently held by President Donald J. Trump. As the 117<sup>th</sup>'s action was not lawful, all acts to remove President Trump are, by the very nature of law, null and void.

Functionally, the United States has entered into a Constitutional crisis of never-considered consequences,<sup>48</sup> from which no logical path can be obtained due to the inherently nefarious conduct of the majority of the 116<sup>th</sup> Congress and their failure to execute their lawful duties while acting in a combined cabal. How can any logical analyst deem the United States in January of 2021 to be a "safe haven"?:

- Either the Nation remains in a Constitutional Crisis until the 2020 election debacle is unraveled through President Trump's execution of the Insurrection Act, which leads to hopefully temporary civil unrest.

Or

- The Nation ceases to lawfully exist once Joseph Biden is illegitimately inaugurated on January 21<sup>st</sup> 2021, which leaves every act conducted by two illegitimate and unconstitutionally convened branches of the United States Federal Government to be a nullity immediate as they are conducted.

There is no "business as usual" moving forward after January 3<sup>rd</sup>, 2021.

### Conclusion.

Stability in asset management revolves around certainty. Hyman Minsky<sup>49</sup> stated "*the more stable things become and the longer things are stable, the more unstable they are when the crisis hits.*" While Professor Minsky theorized "financial crisis" are endemic in capitalism because periods of economic prosperity encouraged borrowers and lender to be progressively reckless. This excess

<sup>48</sup> <https://www.tni.org/en/article/democracy-danger-rise-illegitimate-authority>

<sup>49</sup> <http://www.levyinstitute.org/about/minsky/>

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optimism creates financial bubbles and the later busts. Therefore, capitalism is prone to move from periods of financial stability to instability. This is a type of market failure that needs government regulation. Professor Minsky focused on the "need for government regulation" to prohibit rampant capitalism which he stated would lead to economic anarchy.

It would be interesting to discuss with Professor Minsky the effects of illegitimate government on capitalism, unfortunately, Professor Minsky died in 1996. However, Professor Minsky would quickly see the issues of dereliction of duty and gross malfeasance by multiple layers of state and federal "officers" acting under color of law, which effectively destroyed every aspect of lawful government regulatory authority. Purely, the criminal and conspiratorial acts of two partisan enterprises have efficiently destroyed every aspect of stability, legitimacy, and faith in the safe haven that WAS the United States.



John S. Vanderbol III

On February 5<sup>th</sup>, 2021 I was asked to reformat the original financial brief released publicly into a language more palatable for legal proceedings. In my conduct to facilitate this request, I took special care to use common language easily discernable by the general public.



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